

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JOHN W. STEED,	§	
	§	No. 535, 2008
Defendant Below,	§	
Appellant,	§	Court Below—Superior Court
	§	of the State of Delaware in and
v.	§	for New Castle County
	§	
STATE OF DELAWARE,	§	
	§	
Plaintiff Below,	§	Cr. ID No. 0712009944
Appellee.	§	

Submitted: February 11, 2009

Decided: February 19, 2009

Before **STEELE**, Chief Justice, **HOLLAND** and **RIDGELY**, Justices.

ORDER

This 19th day of February 2009, it appears to the Court that:

(1) On August 4, 2008, the appellant, John W. Steed, pled guilty to two counts of Robbery in the First Degree, one count of Possession of a Firearm During the Commission of a Felony, and one count of Conspiracy in the Second Degree. The Superior Court sentenced Steed on October 3, 2008. This is Steed's direct appeal.

(2) The parties agree and the record reflects that the oral pronouncement of Steed's sentence and the written sentencing order are inconsistent. On appeal, Steed raises two claims arising from the sentencing irregularity. Prior to the time for filing the answering brief, the State has

filed a motion to remand the appeal “for clarification of the sentence and determination of whether other relief may be appropriate.” Steed’s counsel does not oppose the State’s motion to remand.

NOW, THEREFORE, IT IS ORDERED that this matter is REMANDED to the Superior Court for the clarification and reimposition of Steed’s sentence. Jurisdiction is not retained.

BY THE COURT:

/s/ Myron T. Steele
Chief Justice